

>>> "Patti " <registrar@cheboygancounty.net> 6/30/2005 5:07 PM >>>
Dear Sir or Madam:

Relative to the proposed change of MCR 5.302 I would recommend that Alternative B be utilized. As a Probate Register in a small county, I believe it is a service to the petitioner to request that a death certificate be included with the petition/application because very often folks attempt to file in the wrong county/not the county of domicile. If we have a copy of the death certificate it is prima facie evidence that the individual is in fact domiciled in this county. It saves the petitioner money and time to file in the correct county, and it assists the court by preventing "county shopping". Believe it or not, given a choice some petitioner's who are domiciled in Wayne County, but have a probate asset in our county, would choose to file in the smaller county. Having a copy of the death certificate has proven most helpful to all parties over the years, and I would hope that our practice of requesting the same could continue. In the event that the decedent was a resident of our county, but the death certificate reflected residency in another county because of being in a nursing home, we easily remedy the situation by requesting that an affidavit to that effect be filed.

Patricia A. Hansen, Register of Probate